



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
**COMMISSION ON WATER RESOURCE MANAGEMENT**  
P.O. BOX 621  
HONOLULU, HAWAII 96809

**STAFF SUBMITTAL**

for the meeting of the  
**COMMISSION ON WATER RESOURCE MANAGEMENT**

May 18, 2021  
Honolulu, Hawai'i

Request and Delegation of Authority to Chairperson to  
Enter into a Joint Funding Agreement with U.S. Geological Survey  
For the Continuation of Low-Flow Monitoring Stations on  
Maui, Moloka'i, and Hawai'i as Part of the Statewide Monitoring Needs Program

**SUMMARY OF REQUEST:**

Staff recommends that the Commission on Water Resource Management (Commission) enter into a Joint Funding Agreement (Agreement) with the U.S. Geological Survey (USGS) for the continuation of previously installed low-flow monitoring stations not currently part of the annual cooperative monitoring agreement.

**BACKGROUND:**

The 2019 Update to the Water Resource Protection Plan identified a need to monitor the hydrological consequences of climate change across the State. Further, the Statewide Monitoring Needs Assessment published by the U.S. Geological Survey (USGS SIR 2020-5115) identified the location of new streamflow monitoring stations needed to fully implement a hydrological monitoring network to help track shifts in water availability and characterize hydrological processes associated with the consequences of climate change. Some of these stations were established temporarily as part of a statewide low-flow study. These stations gather data continuously, but do not have the ability to provide data in real-time. The data collection portion of the statewide study will be completed on September 30, 2021. However, for the benefit of resource managers, improved understanding of climate effects on low-flow conditions, the continuity of data, and the development of instream flow standards, staff are proposing to continue the operation of a subset of stations (Table 1).

## USGS Low-Flow Monitoring Stations, Molokaʻi, Maui, and Hawaiʻi

**Table 1.** Currently active low-flow continuous monitoring stations maintained by the US Geological Survey (USGS) funded by this Agreement. Station number, island, station name.

Station number	Island	Station name	CWRM FFY2022 cost	Notes
16409000	Molokai	Waihanau Stream nr Kalaupapa	\$18,700	Potential climate change monitoring station; historically a DHHL water resource
16417800	Molokai	LB Honoulimaloo Str US diversion	\$18,700	Potential climate change monitoring station; index station for East Molokai IIFS
16522950	Maui	Piinaau Str 470ft US Koolau Ditch	\$18,700	Index station for East Maui IIFS; Potential climate change monitoring station
16717815	Hawaii	Manowaiopae Stream near Spencer Road	\$18,700	Potential climate change monitoring station; USDA Forest Service co-funding station
16757000	Hawaii	Waikoloa Stream nr Kamuela	\$18,700	Index station for potential IIFS; County drinking water supply; climate change monitoring station
16751500	Hawaii	Awini Puali Gulch US Kohala Ditch	\$18,700	Potential climate change monitoring station
16717700	Hawaii	Hakalau Stream nr alt 1300 ft	\$34,200	Potential climate change monitoring station; additional costs related to permitting and installation of upgraded station; \$8,200 to be paid by DOT
		Total cost	\$146,400	

The continuation of data collection for these low-flow stations will bridge the gap between the existing network of continuous monitoring stations and the full implementation of real-time continuous monitoring, which may take additional time due to limitations in funding and the length of the permitting process necessary to upgrade these stations.

#### ENVIRONMENTAL REVIEW (CHAPTER 343)

Hawaiʻi Revised Statutes (HRS) Chapter 343 is triggered due to the use of State funds. However, Chapter 343 does not apply because this is a data collection and research study.

Hawaii Administrative Rule §11-200.1-16(a) provides that “*each agency, through time and experience, may develop its own exemption list consistent with both the letter and intent expressed in this subchapter and in chapter 343, HRS, of: (1), Routine activities and ordinary functions within the jurisdiction or expertise of the agency that by their nature do not have the potential to individually or cumulatively adversely affect the environment more than negligibly and that the agency considers to not rise to the level of requiring chapter 343, HRS, environmental review.*”

May 18, 2021

The Commission’s Comprehensive Exemption List, concurred with by the Environmental Council on January 5, 2021, provides for Exemption Type 5, “*Basic data collection, research, experimental management, and resource and infrastructure testing and evaluation activities that do not result in a serious or major disturbance to an environmental resource;*” Part 1, “*Conduct surveys or collect data on existing environmental conditions (e.g., water flow, water quality, hydrologic conditions, geologic conditions, rainfall amounts, etc.).*”

RECOMMENDATION:

Staff recommends that the Commission:

1. Authorize the Chairperson to enter into a Joint Funding Agreement between the Commission on Water Resource Management and the U.S. Geological Survey from June 1, 2021 to September 30, 2022 to undertake the specified monitoring activities.
2. Delegate authority to the Chairperson to modify the list of monitoring stations, provided that there is no increase in cost to the Commission.

The terms of this agreement may be subject to the availability of funding and the approval of the Chairperson and the Department’s Deputy Attorney General. Contract execution would be done in accordance with Chapter 103D, HRS, and Chapter 3-122, Hawai‘i Administrative Rules.

Ola i ka wai,

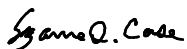


M. KALEO MANUEL  
Deputy Director

Exhibits

1. U.S. Geological Survey, Pacific Islands Water Science Center, Joint Funding Agreement, April 22, 2021.

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE  
Chairperson

May 18, 2021



## United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
Pacific Islands Water Science Center  
1845 Wasp Blvd, Bld 176  
Honolulu, HI 96818

April 22, 2021

Mr. Dean Uyeno

State of Hawaii Commission on Water Resource Management  
PO Box 621  
Honolulu, Hawaii 96809

Dear Mr. Uyeno:

Enclosed is a copy of our standard joint-funding agreement for the operation and maintenance of low-flow data collection stations on the islands of Molokai, Maui, and Hawaii, during the period June 1, 2021 through September 30, 2022 in the amount of \$146,400 from your agency. Please sign and return one fully-executed original to Bles Daog at the address above.

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement by **June 1, 2021**. If, for any reason, the agreement cannot be signed and returned by the date shown above, please contact Madison May by phone number (808) 690-9609 or email [mmay@usgs.gov](mailto:mmay@usgs.gov) to make alternative arrangements.

This is a fixed cost agreement to be billed quarterly via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Bles May Daog at phone number (808) 690-9601 or email at [bdaog@usgs.gov](mailto:bdaog@usgs.gov).

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. We look forward to continuing this and future cooperative efforts in these mutually beneficial water resources studies.

Sincerely,

John P. Hoffmann  
Center Director

Enclosure  
21ZHJFA00000084 (1)

**EXHIBIT 1**

May 18, 2021

**Form 9-1366  
(May 2018)**

**U.S. Department of the Interior  
U.S. Geological Survey  
Joint Funding Agreement  
FOR  
Water Resource Investigations**

**Customer #: 6000001189  
Agreement #: 21ZHJFA00000084  
Project #: ZH00GSN  
TIN #: 99-0266119**

**Fixed Cost Agreement YES[ X ] NO[ ]**

THIS AGREEMENT is entered into as of the June 1, 2021, by the U.S. GEOLOGICAL SURVEY, Pacific Islands Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the State of Hawaii Commission on Water Resource Management party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation for the operation and maintenance of low-flow data collection stations on the island of Molokai, Maui, and Hawaii, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$0 by the party of the first part during the period  
June 1, 2021 to September 30, 2022
- (b) \$146,400 by the party of the second part during the period  
June 1, 2021 to September 30, 2022
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0  
  
Description of the USGS regional/national program:
- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

## USGS Low-Flow Monitoring Stations, Moloka'i, Maui, and Hawai'i

Form 9-1366  
(May 2018)

U.S. Department of the Interior  
U.S. Geological Survey  
Joint Funding Agreement  
FOR  
Water Resource Investigations

Customer #: 6000001189  
Agreement #: 21ZHJFA00000084  
Project #: ZH00GSN  
TIN #: 99-0266119

9. Billing for this agreement will be rendered **quarterly**. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

**USGS Technical Point of Contact**

Name: Madison May  
Supervisory Hydrologist  
Address: 1845 Wasp Boulevard  
Honolulu, HI 96818  
Telephone: (808) 690-9609  
Fax: (808) 690-9599  
Email: mmay@usgs.gov

**Customer Technical Point of Contact**

Name: Dean Uyeno  
Address: PO Box 621  
Honolulu, Hawaii 96809  
Telephone: (808) 587-0249  
Fax:  
Email: dean.d.uyeno@hawaii.gov

**USGS Billing Point of Contact**

Name: Bles May Daog  
Budget Analyst  
Address: 1845 Wasp Boulevard  
Honolulu, HI 96818  
Telephone: (808) 690-9601  
Fax: (808) 690-9599  
Email: bdaog@usgs.gov

**Customer Billing Point of Contact**

Name: Dean Uyeno  
Address: PO Box 621  
Honolulu, Hawaii 96809  
Telephone: (808) 587-0249  
Fax:  
Email: dean.d.uyeno@hawaii.gov

U.S. Geological Survey  
United States  
Department of Interior

State of Hawaii  
Commission on Water Resource Management

Signature

By John P. Hoffmann Date: 04/23/21  
Name: John P. Hoffmann  
Title: Center Director

Signatures

By \_\_\_\_\_ Date: \_\_\_\_\_  
Name:  
Title:

By \_\_\_\_\_ Date: \_\_\_\_\_  
Name:  
Title:

By \_\_\_\_\_ Date: \_\_\_\_\_  
Name:  
Title: